

PROB 12B
(7/93)*United States District Court***FILED**
Clerk
District Court

for

JUN - 2 2008

*District of the Northern Mariana Islands*For The Northern Mariana Islands
By _____
(Deputy Clerk)**Report for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearings is Attached)Name of Offender: **Monessa P. Nauta** Case Number: **CR 05-00013-001**Name of Sentencing Judicial Officer: **Honorable Alex R. Munson**Date of Original Sentence: **June 21, 2005**Original Offense: **Count 1 - Conspiracy to Commit Bank Fraud, 18 U.S.C. §§ 371 and 1344(1)**

Original Sentence: Four years probation with the following conditions: that she not commit another federal, state, or local crime; not unlawfully possess a controlled substance and refrain from any unlawful use of a controlled substance; submit to one drug test within 15 days after sentencing and at least two periodic tests thereafter; submit to the collection of a DNA sample at the direction of the U.S. Probation Office; comply with the standard conditions of probation as set forth by the U.S. Sentencing Commission and codified under 18 U.S.C. § 3563; be prohibited from possessing a firearm or other dangerous weapon and shall not have such weapon at her residence; notify the court of any material change in her economic circumstances that might affect her ability to pay restitution; be prohibited from incurring new credit charges or opening additional lines of credit without prior approval of the probation officer; provide the probation officer access to any requested financial information; participate in a program approved by the U.S. Probation Office for substance abuse, which program may include testing to determine whether she has reverted to the use of drugs or alcohol; also make co-payment for the program at a rate to be determined by the U.S. Probation Office; refrain from the use of all alcoholic beverages; obtain and maintain gainful employment; perform 200 hours of community service under the direction of the U.S. Probation Office; and pay a \$100 special assessment fee and \$32,454.78 in restitution to Bank Pacific. **Modified on February 9, 2006** to include that she submit to a maximum of eight drug tests per month at the direction of the U.S. Probation Office. **Modified on December 3, 2007** to include that she prepare a six-page paper on the dangers of methamphetamine, which shall be due to the probation officer on December 17, 2007, and she will then present her paper to the probation officer. **Revoked on January 3, 2008** for 30 days with two years of supervised release to follow. Paper on the dangers of methamphetamine, previously ordered due on December 17, 2007, now due to probation officer on February 25, 2008.

Type of Supervision: **Supervised Release** Date Probation Commenced: **June 21, 2005****PETITIONING THE COURT**☐ To extend the term of supervision for _____ years, for a total term of _____ years.☒ To modify the conditions of supervision as follows:

The defendant shall participate in a mental health treatment program under the direction of the U.S. Probation Office.

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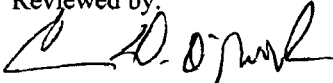
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CAUSE

On March 17, 2008, Dr. Judith Avery of Marianas Psychiatric Services (MPS) submitted a report to the U.S. Probation Office regarding Ms. Monessa Nauta. Dr. Avery recommended that Ms. Nauta participate in mental health counseling to address stress-related issues in lieu of substance abuse counseling. On May 19, 2008, Dr. Avery communicated to this officer that Ms. Nauta should be referred to MPS for bi-monthly sessions. Ms. Nauta has agreed to the modification and signed the attached Waiver of Hearing to Modify Conditions of Supervised Release.

The probation officer notes that Ms. Nauta has missed nine of eleven counseling sessions with MPS since her release from a revocation sentence on January 31, 2008 for various reasons to include illness and the hospitalization of her mother. Ms. Nauta has been warned that continued non-compliance may result in additional sanctions or revocation of her supervised release.

Reviewed by:



CARMEN D. O'MALLAN

U.S. Probation Officer Specialist
Supervision Unit Leader

Date: 5/30/2008

Respectfully submitted,



by: MELINDA N. BRUNSON

U.S. Probation Officer

Date:

5/30/08

THE COURT ORDERS

☐

No Action

☐

The Extension of Supervision as Noted Above.

☒

The Modification of Conditions as Noted Above.

☐

Other

Issuance of a:

☐

Summons

☐

Warrant



Alex R. Munson
Chief Judge

District Court of the Northern Mariana Islands

6-02-08

Date

United States District Court


U.S. District Court **District** Northern Marianas Islands


Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

- The defendant shall participate in a mental health treatment program under the direction of the U.S. Probation Office.

Witness: 
Melinda N. Brunson
U.S. Probation Officer

Signed:  05.29.08
Monessa Nauta
Probationer or Supervised Releasee

5/29/08
Date